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REMARKS

Claims 1-9 and 15-24 are pending, of which Claims 1, 2, 6-9, 15-17, 19 and 20 are rejected, Claims 3-5 and 18 were objected to, and Claims 21-24 were allowed. Claims 1, 6, and 15 are amended herein. No new matter is added.

Claim Rejections – 35 U.S.C. §101

Claims 1, 2, 6-9, 15-17, 19, and 20 were rejected as being not statutory under 35 U.S.C. §101. Reconsideration is respectfully requested.

Independent Claims 1 and 15 have been amended to recite “storing a position of the optical system relative to the wafer while inspecting a plurality of separate inspection areas on the wafer.” Applicant submits that these amendments make explicit what was already implicit in the claims in that information about the relative position between the optical system and the wafer must be known and therefore stored in order to function. Therefore, Applicant submits that the present amendments do not narrow the scopes of the claims. Support for the amendments may be found, e.g., in Fig. 6 and paragraph [0045].

Applicant submits that independent Claims 1 and 15 are statutory under 35 U.S.C. §101 and that, therefore, Claims 2 and 6-9 and Claims 16-17, 19, and 20 which depend from Claim 1 and 15, respectively, are also statutory.

Claim Rejections – 35 U.S.C. §112

Claim 6 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner stated that “moving the optical system” on line 2 is unclear as to which moving the optical system it refers. Reconsideration is respectfully requested.

Claim 6 has been amended to recite “moving the optical system relative to the wafer to inspect a plurality of separate inspection areas on the wafer” to make explicit, what was implicit in the claim. For example, Claim 6 recites “rotating a portion of the stage about a rotation axis of the stage until a linear axis of the stage crosses through a center of a first of the inspection areas” and “moving a portion of the stage along the linear axis of the stage until a distance from the rotation axis of the stage to an objective of the optical system is equal to a distance from the rotation axis of the stage to the center of the first of the inspection areas.” Thus, Applicant submits that it is clear that “moving the optical system relative” refers to

SILICON VALLEY
PATENT GROUP LLP
2350 Mission College Blvd.
Suite 360
Santa Clara, CA 95054
(408) 982-8200
FAX (408) 982-8210

"relative to the wafer", as recognized by the Examiner at the top of page 4 of the Office Action. Accordingly, the claim has not been narrowed and no new matter has been added

Claims 1, 6, and 15 have been amended and Claims 1-9 and 15-24 remain pending. For the above reasons, Applicant respectfully requests allowance of Claims 1-9 and 15-24. Should the Examiner have any questions concerning this response, the Examiner is invited to call the undersigned at (408) 982-8202.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 571-273-8300 on December 7, 2006.

Michael J. Halbert 12-7-06
Attorney for Applicant(s) Date of Signature

Respectfully submitted,



Michael J. Halbert
Attorney for Applicant(s)
Reg. No. 40,633

SILICON VALLEY
PATENT GROUP LLP

2350 Mission College Blvd.
Suite 300
Santa Clara, CA 95054
(408) 982-8200
FAX (408) 982-8210